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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL BOWER,

Defendant.

CASE NO.: 2:17-cr-317-RFB-VCF-2

**STIPULATION TO CONTINUE
SENTENCING**

(FIRST REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by Defendant Michael Bower, by and through his attorney, James A. Oronoz, Esq., and the United States of America, by and through Richard Anthony Lopez, Assistant United States Attorney, that the sentencing hearing currently scheduled for May 17, 2018, at the hour of 2:00 p.m., be vacated and continued for a period of not less than thirty (30) days, to a date and time that is convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Defense Counsel requires additional time to prepare for sentencing. There are a number of outstanding tasks that Counsel must complete before proceeding to sentencing.
2. Defense Counsel has spoken to Assistant United States Attorney Richard Anthony Lopez, and the Government has no objection to the continuance.
3. Defense Counsel has spoken to Mr. Bower, who is not in custody, and he has no objection to the continuance.

4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”
5. The additional time requested herein is not sought for the purposes of undue delay.
6. This is the first stipulation to continue the sentencing hearing filed herein.
7. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

DATED: May 14, 2018

Respectfully submitted,

/s/ James A. Oronoz
James A. Oronoz, Esq.
Oronoz & Ericsson, LLC
1050 Indigo Dr., Suite 120
Las Vegas, Nevada 89145
Attorney for Defendant Bower

/s/ Richard Anthony Lopez
Richard Anthony Lopez
Assistant United States Attorney
District of Nevada
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Attorney for the United States of America

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**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Defense Counsel requires additional time to prepare for sentencing. There are a number of outstanding tasks that Counsel must complete before proceeding to sentencing.
2. Defense Counsel has spoken to Assistant United States Attorney Richard Anthony Lopez, and the Government has no objection to the continuance.
3. Defense Counsel has spoken to Mr. Bower, who is not in custody, and he has no objection to the continuance.
4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed in this rule."
5. The additional time requested herein is not sought for the purposes of undue delay.
6. This is the first stipulation to continue the sentencing hearing filed herein.

1 7. Additionally, denial of this request for a continuance could result in a miscarriage of
2 justice.

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best interests of
5 the public in proceeding with the sentencing hearing as scheduled, since the failure to grant
6 said continuance would be likely to result in a miscarriage of justice at the sentencing hearing,
7 taking into account the exercise of due diligence.
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ORDER

IT IS THEREFORE ORDERED that the Sentencing date in this matter scheduled for May 17, 2018, be vacated and continued to the 21st day of June, 2018, at the hour of 3:45 PM.

DATED AND DONE this 15th day of May, 2018.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE